

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 1:11-cr-006-01-JL
	)	
BRIAN MAHONEY	)	

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GOVERNMENT'S ASSENTED-TO MOTION FOR LEAVE TO FILE  
SUPPLEMENTAL MEMORANDUM IN SUPPORT OF OBJECTION TO  
DEFENDANT'S MOTION TO DISMISS (Docket # 92)

Defense counsel filed a Motion to Dismiss (Docket #92) on May 24, 2012. The government filed an Objection (Docket #100) on June 8, 2012. The Court took the matter under advisement and instructed defense counsel to request the Court to act on the Motion if and when desired. On November 28, 2012 defense counsel filed a Motion (Docket #136) requesting that the Court rule on the Motion to Dismiss (Docket #92).

It has been more than six months since the government filed it's Objection. In that time several Courts have issued decisions, including the First Circuit, that support the government's position.

WHEREFORE the government respectfully requests that the Court grant leave to the government to file a brief Supplemental Memorandum in support of it's Objection (Docket #100) to the defendant's Motion to Dismiss (Docket # 92) not later than close of business Friday, December 14, 2012.

December 13, 2012

Respectfully submitted,

JOHN P. KACAVAS  
United States Attorney

/s/ Arnold H. Huftalen  
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**CERTIFICATION RE: SERVICE & CONCURRENCE**

I certify that a copy of this Motion has been served upon Andrew Schulman, Esq., defense counsel of record, via ecf filing notice today, December 13, 2012. Defense counsel assents to the relief sought with respect to this Motion for Leave.

/s/ Arnold H. Huftalen  
Arnold H. Huftalen